

REMARKS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested.

Claims 1, 2, 4, 12 and 13 have been rejected as anticipated by Yamada, JP 05-238394. Claims 9-11 have been rejected as anticipated by Hauer, DE20105733. Claims 3, 6, and 15 have been rejected as unpatentable over Yamada in view of RD 333099. Claims 5, 7, 8, 14, and 17 have been canceled without prejudice by the previous amendment. Claim 16 has been indicated as containing allowable subject matter.

Claim 1 recites the control unit being able, after actuation of said damping means, to further control the damping means to alter mechanical vibration characteristics of the device such that different vibration frequencies can be damped (Specification, page 6, lines 1-9). Once the damper of Yamada is actuated, the damper no longer can alter vibration characteristics. Claim 1, as well as claims 2-4, 6, 12, 13 and 15 which depend from claim 1, are in condition for allowance.

The Examiner's cooperation during the telephone interview of August 9, 2004 is greatly appreciated. As discussed, claim 9 has been amended to recite that the control unit is able to alter the mechanical vibration characteristics of the damping means. Neither Yamada nor Hauer disclose this limitation. Further, as discussed in the interview, since this amendment places the claims in condition for allowance, no new issue requiring further search or consideration has been presented

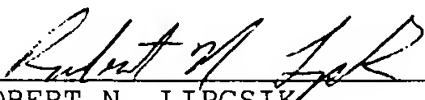
by this Amendment. Claim 9, as well as claims 10-11 which depend from claim 9 are in condition for allowance.

Allowable claim 16 has been written in independent form. Claim 16 is in condition for allowance.

In view of the foregoing, allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


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